Single Bench

(3)

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

W.P.No.4332 / 2004

Petitioner : Dr.Babulal Ratre, S/O Late Kejuram Ratre
Aged about 48 years,
Posted at Community Health Centre
Balod, Dist. Durg(C.G.)

Versus

Respondents : 1 State of Chhattisgarh through Secretary, Health and Family Welfare Department, DKS Bhavan, Raipur

2 Director, Health Services, Govt. of Chattisgarh, Raipur.

3 Chief Medical Officer, Community Health Centre, Balod, Dist. Durg(C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(21)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4332/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	08-12-2004	

Shri P. Diwakar, counsel for the petitioner.

Shri V.V. S. Murthy, Dy. A.G. with Shri Akhil Agrawal, Panel Lawyer for the State.

Application for urgent hearing is allowed.

Heard.

Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner has been working as Block Medical Officer in Community Health Centre Balod. He also submits that the petitioner has been transferred from Community Health Centre, Balod, District Durg to P.H.C., Morga, District Korba vide order dated 26-10-2004 Annexure-P/1. He also submits that the petitioner has been transferred on the ground that his uncle-in-law and brother-in-law are active members of the Congress Party. He also submits that nobody has been posted in place of the petitioner. He also submits that the petitioner's children are preparing for the forthcoming Board Examination of Class-8th and 12th. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such

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representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation.

Learned counsel for the petitioner submits that nobody has been posted in place of the petitioner. He prays that the petitioner may be allowed to continue.

It is directed that if the petitioner has not been relieved and other person has not joined in place of the petitioner, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or other person has already joined in place of the petitioner, this order will not entitle the petitioner to rejoin at the earlier place of posting.

With the aforesaid observation, this petition stands disposed of.

Consequently, M.W.P.No.4682/2004 also stands disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

Gowri